

CHAPTER 1-03—HAWKERS, PEDDLERS, SOLICITORS, AND OTHER ITINERANT VENDORS

1-03-01 The governing Board of Selectmen adopt this ordinance for the purpose of licensing and the regulation of itinerant vendors, hawkers, peddlers, solicitors, traders, farmers, merchants, or other persons who sell, offer to sell, or take orders for merchandise, services, or produce from temporary or transient sales locations within Town or who go from door to door or place to place within the Town of Stratham for such purposes.

1-03-02 No person, partnership, corporation, or other entity may sell, barter, purchase, or otherwise carry on commerce in goods or services within the Town of Stratham through door to door solicitations, or any other method, without first obtaining a license to do so from the Town of Stratham.

1-03-03 Persons subject to this ordinance shall apply to the office of the Chief of Police for a license. The application for a license shall include the following information:

1. The name of the person applying and the name of the entity, if different, for whom the application is made.
2. The local address of the person applying, the permanent address of the person applying and of the entity, if different from the person making the application.
3. The local and permanent telephone numbers of said person and/or entity, and the social security number of said person and/or the taxpayer identification number of the entity.
4. A description and registration number of all motor vehicles to be used by all persons involved in sales or solicitations.
5. The names, dates of birth, and social security numbers of all persons involved with sales or solicitations.
6. The method of solicitation to be used and copies of any proposed contracts, agreements, promotional materials, or other materials designed to be used in the solicitations.
7. The nature of goods and/or services to be sold or provided and the names of the areas and/or locations to be canvassed.

1-03-04 The Chief of Police shall grant such licenses, in a form suitable to him or her for this purpose, within ten (10) working days of receipt of said application and necessary fees unless it is determined that:

1. The applicant has been convicted of actions involving consumer fraud, or;
2. The applicant has outstanding charges for consumer fraud lodged against him or her anywhere in the State of New Hampshire, either with a state or local agency, or;

3. The applicant has outstanding fines and/or debts which are owed the Town of Stratham.
- 1-03-05** The applicant, upon applying for said license, shall be assessed a non-refundable fee of forty dollars (\$40.00) which shall be collected by the police department when said application is made. Funds collected will be transferred to the Town Treasurer to be deposited in the General Fund. Upon issuance of a license to any person, firm, corporation, or religious group or church, the Chief will notify the Board of Selectmen or Town Clerk. Said license once issued shall not be transferable to any other person and/or entity. Licenses will expire 365 days from the date of issuance. No person or entity shall hold, possess, or benefit from more than one license at any given time.
- 1-03-06** Upon receipt of any complaint concerning nuisance, hazard, annoyance, harassment, falsification or disorderly conduct concerning any section of this ordinance, any or all solicitors will be asked to cease and desist all solicitations. The license may be revoked upon the determination of the Chief of Police after an investigation of the complaint has been conducted. If an applicant believes the license to be wrongly revoked or denied from issuance, he or she may appeal the decision of the Chief to the Board of Selectmen, who shall hold a hearing on the issue or complaint and who may grant, reissue, or deny said license. The Selectmen shall hold said hearing within fourteen (14) business days of the request for a hearing.
- 1-03-07** Any person, firm, corporation, or other entity granted such a license shall upon demand show suitable identification of their person and of the entity they represent to any person requesting same and shall, at each solicitation or inquiry, identify the entity benefiting from the funds received.
- 1-03-08** This ordinance does not apply to those who are youth members, (under 18 years of age) and directly affiliated with any recognized youth organization and who are acting on that organization's behalf.
- 1-03-09** This ordinance does not apply to those vendors who are working directly under a not-for-profit agency as part of a larger event held in the Town of Stratham such as the Stratham Fair. Said agency shall apply for a single license for the event and be responsible for those vendors appearing during the event.
- 1-03-10** Whoever counterfeits or forges a license, or has a counterfeit or forged license in their possession with the intent to utter or use the same as true, knowing it to be false or counterfeited, or attempts to sell under a license which has expired or has been revoked or canceled, or which had not been issued to him or her or has in his or her possession another's license with the intent to use the same shall be guilty of a misdemeanor if a natural person, or guilty of a felony if any other person.
- 1-03-11** PENALTIES: Any person, firm, corporation, partnership, or other entity found to be in violation of this ordinance and section, shall be guilty of a violation and subject to a fine of not more than one thousand dollars (\$1,000.00).

Adopted 2012

By: Selectmen David Canada, Timothy Copeland, Bruno Federico